IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 20613 of 1995

Between:

M/s. Subhodaya Auto Finance Corporation, Rep. Managing Partner- Sri Mutlakunta Narayana,
R/o. 4-5-69, Sardar Road, Sadasivapet,
Medak.

..... PETITIONER

AND

1 The District Forum under the Consumer Protection Act, 1986,
Medak district at Sangareddy.
2 Smt. Dasa Bhagyamma, W/o. Dasa Veerasam.
R/o. Ashoknagar, Hyderabad.
R2 dismissed for defult as per court order dt.20-7-2000

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari or any other appropriate writ, order or direction calling for the records pertaining to the order in E.P.No. 18/1995 in C.D.No. 15/1994, dated 22/08/1995 of the 1st respondent and quash the same as wholly arbitrary, highly illegal, unjust and unconstitutional and also without jurisdiction and pass.

Counsel for the Petitioner :MR.D.RAMESH

Counsel for the Respondent No.1: GP FOR CIVIL SUPPLIES

The Court made the following :

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 20613 OF 1995

ORDER:

The present writ petition is filed questioning the orders passed by the District Consumer Forum in E.P.No.18 of 1995 in C.D.No.15 of 1994 dated 22-8-1995. The operative portion of the said order reads as under:

> *"The complainant filed the present E.P. to enforce the said order and to realize the amount from the respondent. The notice of E.P. is served on him on*
> *18-4-1995. He did not appear and state his objections. Therefore, it is evident that he failed or omitted to comply with the order of this Forum. Consequently, we punish him to undergo simple imprisonment for a period of one year. Costs of execution Rs.500/-. As he is not present today, issue non-bailable warrant for his arrest and production."*

The present writ petition is squarely covered by the order of this Court dated 31st August, 2004 in W.P.No.23491 of 1995, wherein it is held that as against the order of the Consumer Forum, an alternative remedy of appeal is provided under section 15 of the Consumer Forum Act and a writ petition is not maintainable.

In the circumstances, the present writ petition is dismissed in terms of orders dated 31st August, 2004 in W.P.No.23491 of 1995. No costs.

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N.V.RAMANA,J

13-10-2004

TVK

To

1 The Presiding officer,

The District Forum under the Consumer Protection Act, 1986,
Medak district at Sangareddy.

2..2CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)

3.2CD copies

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